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8 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

9
10 CONSTANTIN DENIS MIHAI and
ARNOLD NAPOLES,

11 Plaintiffs,

12 v.

13 ALEJANDRO MAYORKAS, in his official
capacity as Secretary of Homeland Security,
14 U.S. DEPARTMENT OF HOMELAND
SECURITY, UR M. JADDOU, in her
15 official capacity as Acting Director of U.S.
Citizenship and Immigration Services, U.S.
16 CITIZENSHIP AND IMMIGRATION
SERVICES, the UNITED STATES OF
17 AMERICA and JOHN DOES I through
XX, inclusive,

18 Defendants.

Case No. 2:23-cv-01127-JAD-DJA

**Stipulation and Order for Extension of
Time**

(Fifth Request)

20 Plaintiffs Constantin Denis Mihai and Arnold Napoles, and Defendants Alejandro
21 Mayorkas, Secretary of Homeland Security, U.S. Department of Homeland Security; Ur
22 M. Jaddou, Acting Director of U.S. Citizenship and Immigration Services; U.S.
23 Citizenship and Immigration Services; and the United States of America (“Federal
24 Defendants”), hereby stipulate and agree as follows:

25 Plaintiffs filed their Complaint on July 19, 2023.

26 Plaintiffs served Federal Defendants with a copy of the Summons and Complaint
27 via Certified Mail on August 4, 2023.

1 The current deadline for Federal Defendants to respond to the Plaintiffs' Complaint
2 is on July 31, 2024.

3 Plaintiffs and Federal Defendants, through undersigned counsel, stipulate and
4 request that the Court approve a 90-day extension of time, from July 31, 2024, to October
5 29, 2024, for Federal Defendants to file a response to the Complaint, ECF No. 1. This is
6 the fifth request for an extension of time.

7 Since the filing of the fourth request for extension, Plaintiffs filed an I-601 waiver in
8 response to the agency's notice of intent to deny their I-485 petition. The additional 90 days
9 are necessary for the agency to evaluate and adjudicate Plaintiffs' I-601 waiver before
10 issuing a final decision on the I-485 petition, which is the subject of the Plaintiff's case.

11 Therefore, the parties request that the Court extend the deadline for Federal
12 Defendants to answer or otherwise respond to October 29, 2024.

13 This stipulated request is filed in good faith and not for the purposes of undue delay.

14 Respectfully submitted this 1st day of July 2024.

15 REZA ATHARI, MILLS & FINK, PLLC

16 JASON M. FRIERSON
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17 /s/ Gary Fink, Esq.
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21 IT IS SO ORDERED:

22 
23 UNITED STATES MAGISTRATE JUDGE
24 DATED: 7/2/2024